



## FAEGRE &amp; BENSON LLP

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MINNEAPOLIS, MINNESOTA 55402-3901  
TELEPHONE 612-766-7000  
FACSIMILE 612-766-1600

**FACSIMILE TRANSMITTAL SHEET**  
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Date: October 4, 2004

Time: 3:02 p.m. (Minneapolis)

Number of pages (including this page): 11      F&B File No.: 75540-      Rec.: 927  
    305884

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From: Robert B. Leonard      Telephone Number: 612/766-8578

To: Mail Stop Missing Parts      Fax No.: 703-746-4060  
US Patent and Trademark Office

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Inventors: PETER ROBERT ABTZ et al.

Examiner:

Appln. No.: 10/776,331

Group Art Unit: 3643

Filing Date: February 12, 2004

Docket No.: 75540-305884

Title: SEEDBED FOR GROWING  
VEGETATION

Attached for filing in the above-referenced patent application are the following:

1. Copy of Notice to File Missing Parts of Nonprovisional Application (2 pages);
2. Combined Declaration and Power of Attorney for Utility or Design Patent Application (37 CFR 1.63) (3 pages);
3. Request for Extension of Time (1 page);
4. Fee Calculation Sheet (1 page);
5. Credit Card Payment Form (1 page)

If you do not receive all pages, please call the Fax Center at  
612/766-1650 or Theresa Belland at 612/766-6925.



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): PETER ROBERT ABITZ et al.	Examiner: /
Appln. No.: 10/776,331	Group Art Unit: 3643
Filing Date: February 12, 2004	Docket No. 75540-305884
Title: SEEDBED FOR GROWING VEGETATION	

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I CERTIFY THAT, ON OCTOBER 4, 2004, THIS PAPER IS BEING  
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 1,962

Complete if Known	
Application Number	10/776,331
Filing Date	February 12, 2004
First Named Inventor	Peter Robert Abitz et al.
Examiner Name	
Art Unit	3643
Attorney Docket No.	75540 - 305884

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money  Other  None  
Order

**Deposit Account:**Deposit  
Account  
Number

06-0029

Deposit  
Account  
Name

Faegre &amp; Benson LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEES CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1001	770	2001	385
1002	340	2002	170
1003	530	2003	265
1004	770	2004	385
1005	160	2005	80
SUBTOTAL (1)		(\$790)	

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	54	-20 = 34	x 18 = 612
Independent Claims	3	-3 = 0	x 88 = 0
Multiple Dependent		x 300	= 0

Large Entity	Small Entity	Fee Description
Fee Code	Fee (\$)	Fee Code
1202	18	2202
1201	86	2201
1203	290	2203
1204	86	2204
1205	18	2205
SUBTOTAL (2)		(\$612)

\*or number previously paid, if greater; For Reissues, see above

**FEES CALCULATION (continued)****3. ADDITIONAL FEES**

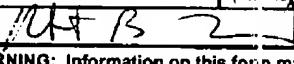
Large Entity Small Entity

Fee Code		Fee Code		Fee Description		Fee
1051	130	2051	65	Surcharge – late filing fee or oath		130
1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet		
1053	130	1053	130	Non-English specification		
1812	2,520	1812	2,520	For filing a request for reexamination		
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		
1251	110	2251	55	Extension for reply within first month		
1252	420	2252	210	Extension for reply within second month		430
1253	950	2253	475	Extension for reply within third month		
1254	1,480	2254	740	Extension for reply within fourth month		
1255	2,010	2255	1,005	Extension for reply within fifth month		
1401	330	2401	165	Notice of Appeal		
1402	330	2402	165	Filing a brief in support of an appeal		
1403	290	2403	145	Request for oral hearing		
1451	1,510	1451	1,510	Petition to institute a public use proceeding		
1452	110	2452	55	Petition to revive – unavoidable		
1453	1,330	2453	665	Petition to revive – unintentional		
1501	1,330	2501	665	Utility issue fee (or reissue)		
1502	480	2502	240	Design issue fee		
1503	640	2503	320	Plant issue fee		
1460	130	1460	130	Petitions to the Commissioner		
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)		
1806	180	1806	180	Submission of Information Disclosure Stmt		
8021	40	8021	40	Recording each patent assignment per property (times number of properties)		
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))		
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))		
1801	770	2801	385	Request for Continued Examination (RCE)		
1802	900	1802	900	Request for expedited examination of a design application		
Other fee (specify)						

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$560)

SUBMITTED BY		Complete if applicable		
Name (Print/Type)	Robert B. Leonard	Registration No. (Attorney/Agent)	33,946	Telephone
Signature				Date
				October 4, 2004

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>Inventor(s):</b> PETER ROBERT ABITZ et al.	<b>Examiner:</b>
<b>Appln. No.:</b> 10/776,331	<b>Group Art Unit:</b> 3643
<b>Filing Date:</b> February 12, 2004	
<b>Title:</b> SEEDBED FOR GROWING VEGETATION	<b>Docket No.</b> 75540-305884

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

I CERTIFY THAT, ON OCTOBER 4, 2004, THIS PAPER IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, OR FACSIMILE TRANSMITTED TO THE U.S. PATENT AND TRADEMARK OFFICE AT 703-746-4060.

Theresa Belland

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NONPROVISIONAL APPLICATION  
UNDER 37 C.F.R. § 1.53(b)**

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b), Filing Date Granted, mailed June 16, 2004, Applicant has enclosed herewith the following documents to complete the above-identified application filed February 12, 2004:

1. Copy of Notice to File Missing Parts of Nonprovisional Application (2 pages);
2. Combined Declaration and Power of Attorney for Utility or Design Patent Application (37 CFR 1.63) (3 pages);
3. Request for Extension of Time (1 page);
4. Fee Calculation Sheet (1 page);
5. Credit Card Payment Form authorizing payment in the amount of \$1,962 (\$790 filing fee, \$612 additional claim fee, \$130 surcharge fee, and \$430 extension of time fee).

*Application No. 10/776,331  
Response to Notice to File Missing Parts of Application  
Page 2*

If the amounts submitted herewith are incorrect, the Commissioner is authorized to credit any overpayment or charge any deficit to our Deposit Account No. 06-0029 and notify us of the same.

Respectfully Submitted,

PETER ROBERT ABITZ et al.

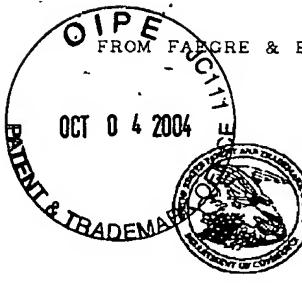
Dated: October 4, 2004

By:

*Robert B. Leonard*

Robert B. Leonard, #33,946  
FAEGRE & BENSON LLP  
2200 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402-3901  
612/766-8578

M2:20660599.01



(MON) 10. 4 04 15:06/ST. 15:02/NO. 4862059105 P 7

Page 1 of 2

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/776,331	02/12/2004	Peter Robert Abitz	000242.00175

22907  
BANNER & WITCOFF  
1001 G STREET N W  
SUITE 1100  
WASHINGTON, DC 20001

**CONFIRMATION NO. 1156**  
**FORMALITIES LETTER**



\*OC000000012959348\*

Date Mailed: 06/16/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION****FILED UNDER 37 CFR 1.53(b)*****Filing Date Granted*****Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWC MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$612 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$1512 for a Large Entity

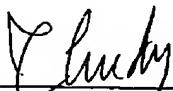
10/06/2004 AWONDAF1 00000023 10776331		
• \$770 Statutory basic filing fee.	01 FC:1001	790.00 OP
• \$130 Late oath or declaration Surcharge.	02 FC:1051	130.00 OP
	03 FC:1202	612.00 OP

- Total additional claim fee(s) for this application is \$612
  - \$612 for 34 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE